

Remarks

A. Claims in the Case

Claims 1, 6-10, 12, 14, and 16-18 have been amended. Claim 5 has been cancelled. Claims 19-21 have been added. Claims 1-4 and 6-21 are pending.

B. Claim Objections

Claim 5 was objected to for an informativity. Because claim 5 has been cancelled, the objection is believed moot. Applicant respectfully requests the Examiner remove the objections to the claims.

C. 35 U.S.C. §102(b) Rejections

The Examiner has rejected claims 1-2, 7-8, 11-12, and 15-16 under 35 U.S.C. §102(b) as being anticipated by Bilich, et al. (U.S. Patent No. 5,877,483) (hereinafter "Bilich"). Applicant respectfully disagrees with these rejections.

Applicant respectfully reminds the Examiner that the standard for "anticipation" is one of fairly strict identity. To anticipate a claim of a patent, a single prior source must contain all the claimed essential elements. *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 231 U.S.P.Q.81, 91 (Fed.Cir. 1986); *In re Donahue*, 766 F.2d 531, 226 U.S.P.Q. 619, 621 (Fed.Cir. 1985).

Bilich does not disclose, teach, or suggest, at least "wherein the card reader is operable to discontinue applying power to the memory card in the card reader, without the processor being powered down, if the memory card has not been accessed in a first specified amount of time (emphasis added)" as recited in claim 1. Bilich teaches:

If in step 212, it is determined that there has been no I/O activity for the predetermined time period, indicating that the user has most likely finished using

the PC 10, execution proceeds to step 218, in which the user is logged off of the PC 10, and then to step 221, in which the PC 10 is powered down (Bilich, col. 4, lines 32-37).

Bilich does not teach discontinuing power to the memory card without powering down the computer. Applicant also respectfully asserts this feature is not obvious in view of Bilich. Applicant respectfully asserts claim 1 and claims dependent thereon are allowable for at least the above reasons.

Similarly, Bilich does not disclose, teach, or suggest, at least “if the memory card has not been accessed during the first specified amount of time, removing power from the memory card, without the computer being powered down (emphasis added)” as recited in claim 12. Applicant also respectfully asserts this feature is not obvious in view of Bilich. Applicant respectfully asserts claim 12 and claims dependent thereon are allowable for at least the above reasons. Applicant respectfully requests the Examiner remove the rejections to claims 1, 12 and claims dependent thereon.

D. 35 U.S.C. § 103(a) Rejections

Claims 6, 9, 14, and 18

The Examiner has rejected claims 6, 9, 14, and 18 under 35 U.S.C. § 103(a) as being unpatentable over Bilich. Applicant respectfully disagrees with these rejections. Applicant respectfully asserts claims 6, 9 and 14, 18, dependent on patentably distinct claims 1 and 12, respectively, are allowable for at least the above reasons. Applicant respectfully requests the Examiner withdraw the rejection to claims 6, 9, 14, and 18.

Claims 3-5 and 13

The Examiner has rejected claims 3-5 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Bilich in view of Admitted Prior Art by the Applicant (hereinafter "APAA"). Applicant respectfully disagrees with these rejections. Applicant respectfully asserts the APAA and Bilich do not disclose, either separately or in combination, any novel features of the invention. Applicant respectfully asserts the APAA and Bilich do not disclose, either separately or in combination, the combination of features recited in the claims. Applicant also respectfully asserts claims 3-4 and claim 13, dependent on patentably distinct claims 1 and 12, respectively, are allowable for at least the above reasons. Applicant respectfully asserts claim 5 has been cancelled and, therefore, the rejection of claim 5 is believed to be moot. Applicant respectfully requests the Examiner remove the rejection to the claims.

E. Double Patenting Rejection

Claims 1-4, 6-16, and 18 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-59 of copending Application No. 10/762,767. Upon issuance of a patent for U.S. Patent Application No. 10/762,767 or the present application, or upon both applications being in condition for allowance but for the provisional double patenting rejection, Applicant will provide arguments for the inappropriateness of the double patenting rejection and/or provide a terminal disclaimer for the patent and/or patent applications.

F. Allowable Subject Matter

Claims 10 and 17 have been objected to as being dependent upon a rejected base claim, but the Examiner indicated these claims are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant respectfully submits that claims 10 and 17 are also allowable as being dependent on patentably distinct claims 1 and 12 for at least the above reasons.

Applicant respectfully disagrees with the Examiner's Statement of Reasons for Allowance and/or Applicant believes that the Examiner's Statement of Reasons for Allowance is incomplete. Applicant respectfully submits that the cited art does not teach or suggest the combinations of features set forth in the Applicant's claims. By way of nonlimiting example, Applicant submits the submitted references at least do not appear to teach or suggest "wherein the card reader does not apply power to a memory card inserted into the card reader if the memory card has not been accessed in a first specified amount of time; wherein the card reader is electrically disconnected from the host controller if the memory card has not been accessed for a second specified amount of time; and wherein a sideband signal is used to signal the card reader to electrically reconnect to the host controller if there is an attempt to access the memory card" as recited in previous claim 10 (put in independent form as new claim 21) or at least "wherein the card reader is electrically disconnected from a host controller coupled to the card reader if the card has not been accessed for a second specified amount of time" as recited in claim 17.

G. New Claims

The cited art does not disclose, teach, or suggest at least "wherein the host controller is a universal serial bus (USB) host controller and the card reader is a USB card reader" as recited in claim 19 in combination with the features of claim 1, "wherein the system is operable to power down the processor if the memory card has not been accessed for a second specified amount of time" as recited in claim 20, "a processor; a host controller coupled to the processor; a card reader coupled to the host controller; and wherein the card reader does not apply power to a memory card inserted into the card reader if the memory card has not been accessed in a first specified amount of time; wherein the card reader is electrically disconnected from the host controller if the memory card has not been accessed for a second specified amount of time; and wherein a sideband signal is used to signal the card reader to electrically reconnect to the host controller if there is an attempt to access the memory card" as recited in claim 21. Applicant respectfully asserts new claims 19-21 are allowable for at least the above reasons.

H. Summary

Based on the above, Applicant submits that all of the claims are in condition for allowance. Favorable reconsideration is respectfully requested.

If any extension of time is required, Applicant hereby requests the appropriate extension of time. If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel Deposit Account No. 50-1505/5707-06200/JCH.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

Respectfully submitted,



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